

REMARKS

A. Introduction

The present Amendment is in response to the Examiner's Office Action mailed September 20, 2005. Claims 1-27 were pending. Claims 10-12 and 21 are cancelled, and claims 1, 13, 14, 16, and 23 are amended. Claims 1-9, 13-20, and 22-27 are therefore now pending in view of the above amendments. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks.

B. Action on the Merits

The Office Action rejects claims 1, 3, 6, 9, 10, and 23-27 under 35 U.S.C. § 102(e)¹ as being anticipated by *Kinoshita* (United States Patent Publication No. US 2002/0008901 A1). The Office Action also rejects claims 16-22 under 35 U.S.C. § 102(b) as being anticipated by *Fukushima* (United States Patent No. 5,402,509). Further, the Office Action objects to claims 11-14 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With respect to the objected-to claims, Applicants have cancelled claims 11 and 12, and have rewritten claims 13 and 14 to include all necessary limitations of the base and intervening claims. Claims 13 and 14 are therefore allowable as rewritten.

With respect to rejected independent claims 1, 16, and 23, Applicants note that, in order to facilitate early allowance of the present application and to resolve all issues raised in the Office Action, these claims have been amended to incorporate the limitations of claims 11 and

¹ Because *Kinoshita* is only citable under 35 U.S.C. § 102(e) Applicants do not admit that *Kinoshita* is in fact prior art to the claimed invention but reserve the right to swear behind *Kinoshita* if necessary to remove it as a reference.

12, together with pertinent limitations of their respective base claim 1 and intervening claim 10. As such, Applicants submit that independent claims 1, 16, and 23 are now allowable as amended and request that the rejection under Section 102 be withdrawn and that these claims, together with their respective dependent claims, be allowed.

The Office Action also rejects claims 2, 4, 5, 7-8, and 15 under 35 U.S.C. § 103(a) as being unpatentable over *Kinoshita* in view of various cited references. With respect to these rejections, Applicants note that each of these claims is dependent upon independent claim 1, which is allowable as described above. Thus, these dependent claims are allowable for at least the same reasons. Removal of the rejection under Section 103 to claims 2, 4, 5, 7-8, and 15 and allowance thereof is therefore respectfully solicited.

Applicants note that the claims specified above have been amended and rewritten by this paper in order to facilitate early allowance, and this amendment should not be seen as a concession that any of the claims as originally filed are anticipated or made obvious by the references cited in the Office Action. Applicants reserve the right to address the substantive issues regarding the rejection of any claims by way of a continuation application that may be filed at a future date.

CONCLUSION

In view of the foregoing, Applicants believe that each of the pending claims 1-9, 13-20, and 22-27 is now in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that can be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 21 day of November, 2005.

Respectfully submitted,



KEVIN W. STINGER
Registration No. 48,959
Attorney for Applicant
Customer No. 022913

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